

# Notice of Allowability

Application No.

10/066,567

Examiner

William C. Choi

Applicant(s)

MIYAGAWA, ICHIROU

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 9/10/2003.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 06 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

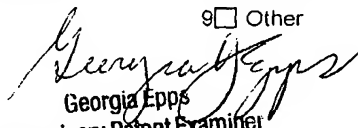
7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |  |
|--|--|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                             | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                 |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 6 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>1103</u> . |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____  | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                         |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance        |
|  | 9 <input type="checkbox"/> Other   |

  
Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason Beckstead on November 26, 2003.

The application has been amended as follows:

1. Claim 1, line 3, between "area" and ";", insert -- in at least one direction--.
2. Claim 1, line 10, delete "." and insert therein --, and wherein a focusing spot of the light beam on the surface to be scanned does not depend upon a size of the aperture in the at least one direction.--
3. Claim 7, line 3, between "area" and ";", insert -- in at least one direction--.
4. Claim 7, line 10, delete "." and insert therein --, and wherein a focusing spot of the light beam on the surface to be scanned does not depend upon a size of the aperture in the at least one direction.--

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103.

Specifically, with respect to independent claim 1, none of the prior art alone or in combination disclose or teach of an optical system comprising a light source including a broad light emission area as claimed, specifically wherein a focusing spot of the light beam on the surface to be scanned does not depend upon a size of the aperture in the at least one direction.

Specifically, with respect to independent claim 7, none of the prior art alone or in combination disclose or teach of an optical system comprising a light source including a broad light emission area as claimed, specifically wherein a focusing spot of the light beam on the surface to be scanned does not depend upon a size of the aperture in the at least one direction.

Specifically, with respect to independent claim 13, none of the prior art alone or in combination disclose or teach of an image recording exposure device as claimed specifically comprising an aperture disposed between positions at which a far-field pattern is formed by emitted light beams, wherein exposure lenses include lenses for changing the magnification disposed between the aperture and light sources.

Specifically, with respect to independent claim 17, none of the prior art alone or in combination disclose or teach of an image recording exposure device as claimed specifically comprising an aperture disposed between positions at which a far-field pattern is formed by emitted light beams and an opening area changer which changes area of an aperture in accordance with magnification.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **CITATION OF RELEVANT PRIOR ART**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Maeda (U.S. 5,469,290) is being cited herein to show an optical system comprising some of the structural limitations of that of the claimed invention, but does not specifically disclose wherein the focusing spot of the light beam on the surface to be scanned does not depend upon a size of the aperture in an at least one direction.

#### **CONCLUSION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Choi whose telephone number is (703) 305-3100. The examiner can normally be reached on Monday-Friday from about 9:00 am to 6 pm.

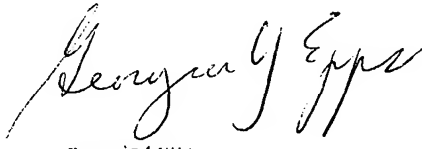
Application/Control Number: 10/066,567  
Art Unit: 2873

Page 5

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (703) 308-4883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

William Choi  
Patent Examiner  
Art Unit 2873  
November 26, 2003

  
Georgia Epps  
Supervisory Patent Examiner  
Technology Center 2800